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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/364,803	07/30/1999	ALAN R. BAUER	PGR20003	9900
757	7590	05/10/2005	EXAMINER	
BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			GILLIGAN, CHRISTOPHER L	
			ART UNIT	PAPER NUMBER
			3626	
DATE MAILED: 05/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/364,803

Applicant(s)

BAUER ET AL.

Examiner

Luke Gilligan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 73-92 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 73-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/6/05 has been entered.

Response to Amendment

2. In the amendment filed 1/6/05, the following has occurred: claims 1-72 have been canceled and claims 73-92 have been added. Now, claims 73-92 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 73-92 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al., U.S. Patent No. 6,869,362.

5. As per claim 73, Walker teaches an on-line insurance policy service system comprising: an interface that enables an insurance policyholder to access a remote insurance document and software linked to the remote insurance document (see column 15, lines 16-26); a publicly

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accessible network coupled to the interface (see column 4, line 64 – column 5, line 7); an information module remote from the interface coupled to the publicly accessible network that identifies an insurance policyholder and verifies an insurance policy parameter in real-time in response to data received from the insurance policyholder through the interface (see column 26, line 63 – column 27, line 5 and column 27, lines 29-31); and a policy adjustment module remote from the interface coupled to the publicly accessible network that adjusts a selected insurance policy parameter in real-time in response to second data received from the insurance policyholder through the interface (see column 28, lines 37-44); wherein the policy adjustment module provides an acknowledgment to the interface when the selected insurance policy parameter is adjusted (see column 28, lines 50-56 and column 29, lines 12-15).

6. As per claim 74, Walker teaches the system of claim 73 as described above. Walker further teaches the publicly accessible network comprises a network and a plurality of gateways that use a transmission control protocol/internet protocol to facilitate a communication between the interface, the information module, and the policy adjustment module (see column 4, line 64 – column 5, line 7).

7. As per claim 75, Walker teaches the system of claim 73 as described above. Walker further teaches a payment module coupled to the policy adjustment module, wherein the acknowledgement comprises a cost of the adjustment to an insurance policyholder's premium that will result from the adjustment in the selected insurance policy parameter (see column 29, lines 12-15).

8. As per claim 76, Walker teaches the system of claim 75 as described above. Walker further teaches the payment module is remote from the interface and the adjustment to the premium is based on a change in at least one of an insurance coverage, an insurance deductible, or a benefit an insurance company will pay for an insurance coverage (see column

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27, lines 29-34, note that the payment module, which is located at the network server, is remote from the interface).

9. As per claim 77, Walker teaches the system of claim 73 as described above. Walker further teaches the interface comprises a device that accepts video signals from a processor and displays the acknowledgement on a screen in real-time in response to the adjustment of the selected insurance policy parameter (see column 10, lines 53-57).

10. As per claim 78, Walker teaches the system of claim 73 as described above. Walker further teaches the interface comprises a monitor that accepts video signals from a processor and displays information related to the selected insurance policy parameter in real-time in response to data received from the insurance policyholder (see column 10, lines 53-57).

11. As per claim 79, Walker teaches the system of claim 73 as described above. Walker further teaches the information module comprises a controller programmed to electronically transmit an on-line insurance form from the information module to the interface running a first operating system that is different from a second operating system that the controller is capable of running (see column 5, lines 16-20).

12. As per claim 80, Walker teaches an on-line insurance policy service system comprising: a web browser that enables an insurance policyholder to access remote insurance information and software linked to the remote insurance information (see column 15, lines 16-26, note that the Walker system can be implemented via a web browser in communication with a web server see column 5, lines 16-20); a publicly accessible network that facilitates data transfers from the web browser (see column 4, line 64 – column 5, line 7); an information module remote from the web browser coupled to the publicly accessible network that identifies an insurance policyholder and verifies an insurance policy parameter of that insurance policyholder in real-time in response to data received from the insurance policyholder through the publicly accessible

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network and the web browser (see column 26, line 63 – column 27, line 5 and column 27, lines 29-31); and an insurance policy adjustment module remote from the web browser coupled to the publicly accessible network that adjusts a selected insurance policyholder's selected insurance policy parameter in real-time in response to second data received from the insurance policyholder through the publicly accessible network and the web browser (see column 28, lines 37-44); wherein the insurance policy adjustment module provides an acknowledgment to web browser in response to the adjustment of the selected insurance policy parameter (see column 28, lines 50-56 and column 29, lines 12-15).

13. As per claim 81, Walker teaches the system of claim 80 as described above. Walker further teaches the software comprises a sequence of instructions that generates an insurance document customized to the insurance policyholder at an insurer's computer and sends the customized insurance document to the web browser in response to the second data received from the insurance policyholder through the publicly accessible network and the web browser (see column 23, lines 35-38).

14. As per claim 82, Walker teaches the system of claim 81 as described above. Walker further teaches the customized insurance document comprises content resident to the insurer's computer and content received from the insurance policyholder through the publicly accessible network and the web browser (see column 23, lines 38-48).

15. As per claim 83, Walker teaches the system of claim 82 as described above. Walker further teaches the information module comprises a controller programmed to interact with the interface running a different operating system than an operating system the information module is running (see column 5, lines 16-20).

16. As per claim 84, Walker teaches the system of claim 82 as described above. Walker further teaches the web browser is programmed to integrate content stored in a memory of the

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insurer's computer with content stored in a second computer remote from the insurer's computer see column 23, lines 1-6, in particular, the user's computer is remote from the insurer's computer).

17. As per claim 85, Walker teaches the system of claim 82 as described above. Walker further teaches the web browser is programmed to receive content stored in a memory of the insurer's computer and is configured to generate a statement that specifies a transmission protocol and an Internet identifying number associated with the content stored in the memory (see column 5, lines 16-20, note that the examiner is interpreting communicating via HTML pages to incorporate a step of generating the recited 'statement').

18. As per claim 86, Walker teaches the system of claim 80 as described above. Walker further teaches the insurance policy adjustment module provides a real-time acknowledgement to the web browser in response to the adjustment of the selected insurance policy parameter (see column 28, lines 50-56 and column 29, lines 12-15).

19. As per claim 87, Walker teaches the system of claim 80 as described above. Walker further teaches the insurance policy parameter comprises a change in an item insured under an insurance policy of the insurance policyholder (see column 29, lines 27-29).

20. As per claim 88, Walker teaches the system of claim 80 as described above. Walker further teaches the insurance policy parameter comprises a change in a number of identify of persons insured under an insurance policy of the insurance policyholder (see column 15, lines 34-42).

21. As per claim 89, Walker teaches the system of claim 80 as described above. Walker further teaches the web browser is part of an operating system that allows the insurance policyholder to accept or reject an adjustment of the insurance policy parameter (see column 29, lines 20-25).

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22. As per claim 90, Walker teaches the system of claim 80 as described above. Walker further teaches the publicly accessible network comprises an Internet (see column 4, lines 64-67).

23. As per claim 91, Walker teaches an on-line insurance policy service system comprising: a browser that enables an insurance policyholder to access remote insurance information and software linked to the remote insurance information (see column 15, lines 16-26, note that the Walker system can be implemented via a web browser in communication with a web server see column 5, lines 16-20); a publicly accessible network that facilitates data transfers from the browser (see column 4, line 64 – column 5, line 7); an information module remote from the browser coupled to the publicly accessible network that identifies an insurance policyholder and verifies an insurance policy parameter of that insurance policyholder in real-time in response to data received from the insurance policyholder through the publicly accessible network and the browser (see column 26, line 63 – column 27, line 5 and column 27, lines 29-31); an insurance policy adjustment module remote from the browser coupled to the publicly accessible network that adjusts an insurance policyholder's selected insurance policy parameter in real-time in response to second data received from the insurance policyholder through the publicly accessible network and the browser (see column 28, lines 37-44); and a payment module remote from the browser coupled to the publicly accessible network that determines in real time the cost of the adjustment to the insurance premium in response to the adjustment of the insurance policyholder's selected insurance policy parameter (see column 28, lines 50-56); wherein the insurance policy adjustment module communicates to the browser an acknowledgment comprising the change in the insurance premium resulting from the adjustment in the insurance policyholder's selected insurance policy parameter (see column 29, lines 12-15).

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24. As per claim 92, Walker teaches the system of claim 91 as described above. Walker further teaches the browser is part of an operating system and the operating system is configured to allow the insurance policyholder to accept or reject an adjustment of the insurance policy parameter (see column 29, lines 20-25).

Response to Arguments

25. Applicant's arguments, filed 1/6/05, fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The Examiner, however, has applied a new grounds of rejection detailed above.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Greco teaches a system for processing an application for insurance that includes real time processing steps.
- Rodgers discloses an Internet based insurance policy servicing system.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke Gilligan whose telephone number is (571) 272-6770. The examiner can normally be reached on Monday-Friday 8am-5:30pm.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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29. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/5/05



C. Luke Gilligan
Patent Examiner
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